

The US CMS Constitution

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1. Introduction

This document¹ defines the structure and governance of the US members of the CMS Collaboration. The US membership of CMS is designated as the US CMS Collaboration. There is a CMS Constitution² defining governance of the CMS Collaboration as a whole. All aspects of this document are meant to be compatible with the CMS Constitution and the CERN policy for experiments.³ In the case of a contradiction, the CMS Constitution takes precedence.

The US CMS Collaboration consists of the physicists from particle physics research groups at US universities and national laboratories who are committed to

¹ This version of the US CMS Constitution [was/was not] adopted on December 10, 1999.

² The CMS Constitution may be found at <http://cmsdoc.cern.ch/doc/gen/docs/constitution.html>.

³ For example, "General Conditions for Experiments Performed at CERN", draft of 21-Oct-1999.

doing physics research at the Compact Muon Solenoid (CMS) detector at the Large Hadron Collider (LHC) located at CERN. The purpose of the US CMS Collaboration is to facilitate the participation of US physicists in the construction and operation of the CMS detector, and to facilitate the participation of US physicists in the analysis and publication of physics results derived from the CMS data.

The US CMS Collaboration participates in the overall activities of the CMS Collaboration. In addition, the US CMS Collaboration, through its Collaboration Board, will concur with the scope and direction of all activities that are carried out in the name of US CMS. An existing activity that follows this procedure is the US CMS Construction Project.

The constitution of the US CMS Collaboration is not a legal instrument. All matters of a legal nature are the responsibility of the individual members or their home institutions.

2. The US CMS Collaboration

2.1. US CMS Collaboration Membership and Function.

All US physicists who are members of the CMS Collaboration and whose home institutions are institutional members of the CMS Collaboration are members of the US CMS Collaboration. Members of those US institutions that have applied for CMS membership, but have not yet been accepted or rejected, shall be non-voting members of the US CMS Collaboration. The US CMS institutions and their current members are shown in Annex 1.

Members of the US CMS Collaboration are represented by one delegate from each US Institute (the Institutional Representative) on the US CMS Collaboration Board. The US CMS Collaboration Board is the highest authority of the US CMS Collaboration in matters that are specific to US institutions.

2.2. Offices of the US CMS Collaboration

The US CMS Advisory Board provides an interface between the US CMS Collaboration and the associated Projects and activities, and meets more frequently than the US CMS Collaboration Board. The Collaboration Board must approve the offices that comprise membership in the Advisory Board. The Collaboration Board must approve matters of consequence recommended by the Advisory Board. The Collaboration Board elects a Chair and a Deputy Chair, who also serve as Chair and Deputy Chair of the Advisory Board. The Chair is also the US Representative on the CMS Management Board.

2.3. Projects

The US CMS Project activities are approved and funded by the US High Energy Physics funding agencies and are supervised by Fermilab as the Host Laboratory. The Fermilab Director appoints Project Managers (Level 1 Managers) for each of the Projects, who are then responsible for the successful completion of such projects on time and within the appropriate fiscal constraints. The interrelations between the funded projects, the Project Managers, and the US CMS Collaboration are defined in the Project Management Plans.

Major modifications of the scope or of the Project Management Plans of existing and future US CMS projects and activities shall be brought to the attention of the US CMS Collaboration Board for its concurrence.

2.4. Future Projects and Activities

The US CMS Collaboration may become involved in future Projects and activities. Projects are distinguished from activities by the level of resources needed and the requirement by funding agencies for line management.

Members of US CMS that are proposing new Projects or activities in the name of US CMS shall bring such new proposals to the attention of the US CMS Collaboration Board for its concurrence. This shall be done as soon as written proposals are past the discussion stage, but before they are submitted to US funding agencies.

Future Projects should be proposed to the US CMS Collaboration Board in the context of a formal Project Management Plan. The Project Management Plan specifies the management, governance, and communication channels of the activity, and is an agreement between legal entities such as US High Energy Physics funding agencies (DOE and NSF) and US CMS member institutions. The current set of Projects to which the US CMS Collaboration has voted its concurrence is shown in Annex 2. An example of such a Project is the US CMS Construction Project whose governance is set forth in the US CMS (Construction) Project Management Plan.⁴

3. The US CMS Collaboration Board

3.1. Membership

The Collaboration Board is composed of one representative from each US institution that is a member of the CMS Collaboration. An Institutional Representative is chosen by each US CMS institution. Each Institutional Representative will receive

⁴ "The US CMS Project Management Plan", found at http://uscms.fnal.gov/uscms/management/management.html#uscms_pmp, Nov. 1998.

and disseminate Collaboration information for that institution. The current US CMS Collaboration Board members are listed in Annex 3.

3.2. Meetings

The US CMS Collaboration Board should hold at least two meetings per year, one of which is a meeting of the entire US CMS Collaboration. Presently, the annual meeting and election of officers is held in the Spring, and a second meeting is held in the Fall. Other meetings may be called as necessary by the US CMS Collaboration Board Chair, or by petition of 20% of the Collaboration Board members. Collaboration Board or Advisory Board meetings may be requested by the Project Manager of a US CMS Project in order to discuss and concur with changes of scope or direction of the relevant Project. Such requests will be directed to the US CMS Collaboration Board Chair who will then call and chair the meeting. Collaboration Board meetings will be open to all US CMS members, but only the Institutional Representative or designee may vote.

Collaboration Board decisions are reached by consensus at Collaboration Board meetings whenever possible. In the event a consensus cannot be reached, matters are decided by a majority vote of the member institutions.

The US CMS Collaboration Board Chair shall provide minutes of all US CMS Collaboration Board meetings. The minutes shall be submitted for approval at the subsequent Collaboration Board meeting, and shall be publicly available to all US CMS Collaboration members.

3.3. Collaboration Board Voting

Each US CMS Institution shall have one vote, to be cast by the Institutional Representative. The Institutional Representative may designate another CMS member from the same institution as that institution's voting representative at a specific meeting.

3.4. Elective Offices

The US CMS elective offices are the US CMS Collaboration Board Chair and Deputy Chair, the members of the Election Committee, and the chairs of the respective Institution Boards. The term of office for elected positions is two years with the possibility of renewal. In the event of a vacancy in an elective office, a special election to fill the unexpired term shall be conducted. The US CMS Collaboration Board Chair and Deputy Chair are elected in the Spring of even-numbered years, while the chairs of the Institution Boards are elected in the Spring of odd-numbered years. The Election Committee is elected early in the even-numbered years, at least two months before the election of the US CMS Collaboration Board Chair and Deputy Chair.

Each of the US Institutional Boards shall biennially elect a Chair. The Institution Board is composed of one representative of each US CMS institution that is participating in the corresponding area as shown in Annex 4. The elections will be organized by the Election Committee and will require the majority of the Institution Board for election. In the event no candidate receives a majority of the votes cast on the first ballot, a runoff between the two candidates receiving the largest number of votes shall be conducted. In the event of a tie, the US CMS Collaboration Board Chair shall cast the deciding vote.

4. The US CMS Advisory Board

The purpose of the US CMS Advisory Board is to facilitate the participation of US physicists in the CMS experiment, and to consider issues to be brought to the US CMS Collaboration Board. It meets more frequently than the US CMS Collaboration Board and also provides an interface between the US CMS Collaboration and the associated Projects and activities.

The Advisory Board is composed of the US CMS Collaboration Board Chair and Deputy Chair, elected Institution Board representatives, Level 1 Project managers, and possibly others. The US CMS Collaboration Board determines the membership of the US CMS Advisory Board. The present membership of the US CMS Advisory Board is shown in Annex 5.

The US CMS Collaboration Board Chair shall provide minutes of all US CMS Advisory Board meetings. The US CMS Collaboration Board Chair may designate a willing member of the Advisory Board as Secretary of the Advisory Board who will assume responsibility for generating the minutes of each Advisory Board meeting. The minutes shall be submitted for approval at the next subsequent Advisory Board meeting, and shall be publicly available to all US CMS Collaboration members. The Advisory Board, with its elected subsystem leaders, serves as the interface between the Project Management of various projects and the Collaboration Board on a regular basis.

4.1. The US CMS Collaboration Board Chair

The US CMS Collaboration Board Chair is responsible for communication between the US CMS Collaboration, and other institutions and individuals relevant to the success of US CMS. The US CMS Collaboration Board Chair is also Chair of the US CMS Advisory Board.

4.2. The US CMS Deputy Collaboration Board Chair

The US CMS Deputy Collaboration Board Chair is a designated point of contact for all members of the US CMS Collaboration on contentious issues within the Collaboration, and for advice and consultation on the functioning of the Collaboration. The Deputy Collaboration Board Chair will also run the required

Advisory Board and Collaboration Board meetings in the absence of the Collaboration Board Chair.

4.3. Competence

Should serious problems arise concerning the performance of any member of the US CMS Advisory Board, the recommendation for replacement shall be brought by the US CMS Collaboration Board Chair, or the US CMS Election Committee regarding the US CMS Collaboration Board Chair, or by a petition of 20% of the Collaboration Board Institutions to the Election Committee. A recommendation for replacement will be adopted upon the affirmative vote of 2/3 of the members of the US CMS Collaboration Board. In this case, the office is immediately vacant and an election to fill the office will be held as soon as possible.

5. Elections

An Election Committee consisting of two members of the US CMS Collaboration will seek candidates, propose candidates, and supervise all elections except the one replacing themselves. The US CMS Collaboration Board Chair will supervise the election of the Election Committee members. The Election Committee will also supervise the ratification of all constitutional modifications. The Election Committee will also receive all petitions for Collaboration Board meetings, petitions for recall of elected and appointed officers, and petitions for constitutional modification.

In the case that an elected office in US CMS becomes vacant between normal elections, for example because of a resignation, a special election shall be held as soon as possible for the remainder of the vacant term.

In order to minimize conflicts of interest, no candidate for elected office in US CMS shall be a Level 1 or Level 2 manager of any Project of the US CMS Collaboration. No person shall occupy two elected positions in US CMS simultaneously. If an elected officer of the US CMS Collaboration becomes a Level 1 or Level 2 manager of a Project, an election shall be held as soon as possible for the remainder of his/her original term. This does not apply to Collaboration Board and Institution Board representatives, who may be elected to these positions by their home institutions.

Any US CMS member may nominate candidates for US CMS elective offices.

Elections shall be conducted by electronic ballot, with the majority of votes of all US CMS institutions being required for election. In the event no candidate receives a majority vote on the first ballot, a runoff between the two candidates receiving the largest number of votes shall be conducted.

6. Appointed Officers

Appointed officers are responsible for carrying out to completion any Project that has been approved and funded by the US Funding Agencies on time and on cost. The appointment of Level 1 Managers will be made in consultation with the US CMS Collaboration Board.

6.1. Competence of Appointed Officers

Should serious problems arise concerning the performance of a Level 1 Project Manager, the recommendation for replacement shall be brought by the US CMS Collaboration Board Chair, or by a petition of 20% of the Collaboration Board Institutions to the Election Committee. A recommendation for replacement will be adopted upon the affirmative vote of 2/3 of the members of the US CMS Collaboration Board, and communicated to the appropriate person(s) in the Project line authority by the US CMS Collaboration Board Chair.

7. Procedures for Ratification and Amendments

The US CMS Collaboration Board must ratify all modifications concerning the US CMS Constitution by a majority vote of all Institutional Representatives. Any modification to the US CMS Constitution must conform to the current CMS Constitution.

This Constitution shall be ratified by a majority vote of the US CMS Collaboration Board. Subsequent amendments may become necessary as the experiment evolves. Amendments can be proposed by a majority of the US CMS Advisory Board to the US CMS Collaboration Board, via the Election Committee, or by the signatures of more than 20% of the Collaboration Board membership. All such proposals shall be voted upon. A majority vote of the Collaboration Board is required for adoption of an amendment. The election committee will carry out the balloting.

The US CMS Collaboration Board Chair shall inform the US funding agencies, DOE and NSF, of changes to the US CMS Constitution as necessary.

8. Ratification

This version of the US CMS Constitution has been ratified on December 10, 1999, by majority vote of the US CMS Collaboration Board.

For the US CMS Collaboration Board
H. Newman, Chair

Date